

## FORM II.

(See rule 7.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as electors Nos. \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Landholders in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

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Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the \_\_\_\_\_ of \_\_\_\_\_ and between the hours of \_\_\_\_\_ and \_\_\_\_\_

## FORM III.

(See rule 9.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Bengal. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
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*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the                      day of                      19                      and between the hours of                      and                      .

I hereby declare that I am the person whose name appears as \_\_\_\_\_ No. \_\_\_\_\_ on the electoral roll of Landholders in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

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*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

*Attesting Officer.*



## SCHEDULE VII.

[See Regulation II, sub-head (iii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE UNITED PROVINCES OF AGRA AND OUDH.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) In the case of the first, third and succeeding alternate elections the Member specified in Regulation II, sub-head (xii), shall be elected by the landholders of the Province of Oudh.

(2) In the case of the second, fourth and succeeding alternate elections—

(a) the Member specified in Regulation II, sub-head (xii), shall be elected by the landholders of the Province of Agra, and

(b) the second Member specified in the proviso to the said Regulation shall be elected by Muhammadans entitled to vote as landholders in the Provinces of Oudh and Agra.

*Explanation.*—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

*A.—Elections by Landholders in the Province of Oudh.*

3. (1) The election of the Member specified in rule 2, sub-rule (1), shall be made by the British Indian Association of Oudh at an extraordinary general meeting in the manner laid down for the time being in the bye-laws of the said Association for carrying resolutions or recording decisions upon questions of business brought before that body:

Provided that, where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn at such meeting and in such manner as the Chairman thereof may determine.

(2) The result of the election shall be forthwith communicated by the said Association to the Chief Secretary to the Local Government and to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

4 Any person not ineligible for election under these Regulations and having a place of residence in the Province of Oudh who is a member of the British Indian Association of Oudh may be elected under rule 3.

*B.—Election by Landholders in the Province of Agra.**Qualifications of electors.*

5. The election of the Member specified in rule 2, sub-rule (2), clause (a), shall be made by all persons qualified to vote and having a place of residence in the Province of Agra who—

(a) own in that Province land in respect of which land-revenue amounting to not less than ten thousand rupees per annum is payable, or

(b) own in that Province land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum, or

(c) hold the title of Maharaja, Raja or Nawab conferred or recognised by the Government, or

(d) hold the title of Rajwar, Rao Bahadur, Rao, Rai, Mirza Bahadur, Mirza, Khan Bahadur, Chaudhri, or Diwan if hereditary and recognised by the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.



*Electoral roll.*

6. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family or of a firm or company qualified under rule 5, clause (a) or clause (b), the name of the manager of the family or of any person duly authorised in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such family, firm or company, as the case may be.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

7. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

8. (1) The electoral roll published under rule 6 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 6.

*Qualifications and nomination of candidates.*

9. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

10. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of Nomination Papers.*

11. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconders may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 9, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

*Voting.*

12. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

13. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

14. (1) The Attesting Officer shall at the close of the day appointed for the attestation of voting papers despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

19. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

20. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 6;
- (b) the attestation of nomination papers under rule 9;
- (c) the scrutiny of nomination papers under rule 11;
- (d) the attestation of voting papers under rule 13; and
- (e) the counting of votes under rule 16.

*C.—Elections by Muhammadans entitled to vote as Landholders in Oudh and Agra.*

21. The election of the Member specified in rule 2, sub-rule (2), clause (b), shall be made by all Muhammadans who are—

- (a) members of the British Indian Association of Oudh, or
- (b) entitled to vote under the provisions of rule 5.

22. The provisions of rules 6 to 20, both inclusive, shall apply, with the necessary modifications, to elections under rule 21.





## FORM II.

(See rule 9.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_ who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

*Attesting Officer.*

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*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on the \_\_\_\_\_ day of \_\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_, at the office of \_\_\_\_\_.

## FORM III.

(See rule 13.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Province of Agra. The following [ ] candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
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|            |                      |       |
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|            |                      |       |
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*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of        and        on the        day of        19

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Landholders in the Province of Agra for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.





## SCHEDULE VIII.

[See Regulation II, sub-head (xiii), and Regulation III.]

**RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN EASTERN BENGAL AND ASSAM.**

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Member specified in Regulation II, sub-head (xiii), shall be elected by the landholders of the Province of Eastern Bengal and Assam.

(2) The second Member specified in the proviso to the said Regulation shall be elected by Muhammadans entitled to vote as landholders in the Province of Eastern Bengal and Assam.

*A.—Elections by Landholders.*

*Qualifications of electors.*

3. The election of the Member specified in Regulation II, sub-head (xiii), shall be made by landholders qualified to vote and having a place of residence in the Province of Eastern Bengal and Assam who—

(a) hold in their own right as proprietors within the Province one or more estates or shares of estates in respect of which land-revenue amounting to not less than five thousand rupees or cess amounting to not less than twelve hundred and fifty rupees is payable per annum; or

(b) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

*Explanations.—For the purposes of this rule—*

(1) a manager or a trustee, or the holder, of a religious endowment, such as a *mahant* or a *gushain*, or the *mutawali* or manager of a Muhammadan *wakf*, shall not, as such, be deemed to be a person who holds an estate or tenure in his own right;

(2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or a share of an estate in his own right, unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876;

(3) when an estate or a share of an estate is held by two or more persons jointly, and the share held by each is not specified in the registers referred to above, it shall be assumed, until the contrary is shown, that they hold equal shares;

(4) the term "cess" means the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation, 1879;

(5) within the Assam Valley Division and Surma Valley and Hill Districts Division the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

*Electoral roll.*

(1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall, on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing, or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

#### *Qualifications and nomination of candidates.*

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

#### *Voting.*

10. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) The Returning Officer shall, upon such date as may be appointed by the Local Government in this behalf sign and send to each elector by registered post a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions, and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

17. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

18. The Local Government shall appoint, and notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 4;
- (b) the attestation of nomination papers under rule 7;
- (c) the scrutiny of nomination papers under rule 9;
- (d) the sending of voting papers under rule 11;
- (e) the attestation of voting papers under rule 11;
- (f) the counting of votes under rule 14.

*B.—Elections by Muhammadans entitled to vote as landholders in Eastern Bengal and Assam.*

19. The election of the Member specified in rule (2), sub-rule (2), shall be made by all Muhammadans who are entitled to vote under the provisions of rule 3,

20. The provisions of rules 4 to 18, both inclusive, shall apply, with the necessary modifications, to elections under rule 19.



## FORM II.

(See rule 7.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Landholders in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

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*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation before 5 P.M. on the \_\_\_\_\_ day of 19\_\_\_\_ at the office of an Attesting Officer.

I K



## FORM III.

(See rule 11.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in Eastern Bengal and Assam. The following [ ] candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose, on or before the day of 19 , and between the hours of and

I K 2

I hereby declare that I am the person whose name appears as  
roll of Landholders in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council  
of the Governor General.

No. \_\_\_\_\_ on the electoral  
Member to the Legislative Council

*Elector.*

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been  
identified to my satisfaction).

*Attesting Officer.*



## SCHEDULE IX.

[See Regulation II, sub-head (xiv), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE LANDHOLDERS IN THE CENTRAL PROVINCES.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

*Qualifications of electors.*

2. (1) The Member specified in Regulation II, sub-head (xiv), shall be elected by the votes of delegates to be selected in the manner hereinafter prescribed by all persons qualified to vote and having a place of residence in the Central Provinces who hold land in those Provinces in proprietary right and—

(a) whose land is assessed to land-revenue at not less than five thousand rupees per annum; or

(b) whose names are entered in the Durbar list prepared under the authority of the Local Government; or

(c) who hold the office of Honorary Magistrate:

Provided that no person shall have more than one vote though he may possess more than one of the qualifications above described.

*Electoral roll.*

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In the case of a Hindu joint family qualified under rule 2, clause (a), the name of the manager of the family, or of any member of the family whom the manager may appoint in writing in this behalf, shall be entered in the roll as the representative, for the purposes of the roll, of such family.

(3) In determining the eligibility of a landholder as an elector, only land-revenue assessed on such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) A person who is qualified as an elector for two or more districts may choose the district in which he desires to vote, but shall not be entitled to have his name entered in the electoral roll of more than one district.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every Deputy Commissioner.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Deputy Commissioner may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Deputy Commissioner, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Deputy Commissioner to the Commissioner of the division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided, however, that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

#### *Selection of delegates.*

6. The number of delegates to be selected for each district shall be as follows:—

|                 |     |     |     |   |                      |     |     |       |    |
|-----------------|-----|-----|-----|---|----------------------|-----|-----|-------|----|
| Nagpur District | ... | ... | ... | 4 | Hoshangabad District | ... | ... | ...   | 3  |
| Bhandara        | „   | ... | ... | 2 | Narsinghpur          | „   | ... | ...   | 3  |
| Chanda          | „   | ... | ... | 2 | Nimat                | „   | ... | ...   | 2  |
| Wardha          | „   | ... | ... | 3 | Betul                | „   | ... | ...   | 1  |
| Balaghat        | „   | ... | ... | 1 | Ohhindwara           | „   | ... | ...   | 1  |
| Jabalpur        | „   | ... | ... | 4 | Raipur               | „   | ... | ...   | 3  |
| Saugor          | „   | ... | ... | 3 | Bilaspur             | „   | ... | ...   | 2  |
| Damoh           | „   | ... | ... | 1 | Drug                 | „   | ... | ...   | 3  |
| Seoni           | „   | ... | ... | 1 |                      |     |     |       |    |
| Mandla          | „   | ... | ... | 1 |                      |     |     |       |    |
|                 |     |     |     |   |                      |     |     | Total | 40 |

7. On such date and at such time as may be appointed by the Local Government in this behalf, the persons whose names are entered in the electoral roll of each district shall meet at the headquarters of that district for the purpose of selecting from among themselves the number of delegates specified in rule 6.

8. (1) At such meeting the Attesting Officer shall attend, and, after explaining the rules, shall sign and deliver to each elector present a voting paper in Form II hereto annexed, and shall thereafter withdraw.

(2) The electors present shall then proceed to elect from among themselves a chairman, who shall in the first instance state the number of delegates to be selected and call upon such electors to nominate persons up to that number.

9. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by any two other such persons as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconds shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

(2) If the number of persons nominated does not exceed the number of delegates assigned to the district as aforesaid, such persons shall be deemed to be selected as delegates, and the chairman shall forthwith inform the Attesting Officer of their names and addresses.

(3) If the number of persons nominated exceeds the number of delegates assigned as aforesaid, the electors present, including the chairman, shall record their votes in the manner prescribed in the voting paper, and deliver the voting papers to the chairman.

10. (1) The chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated together with the voting papers.

(2) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the electors, and shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

11. (1) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate or candidates to whom the largest numbers of votes have been given to be selected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and shall retain the same for



a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

13. The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected, and the said names and addresses shall be published in such manner as the Local Government may prescribe.

*Qualifications and nomination of candidates.*

14. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate.

(2) Such nomination shall be made by means of a nomination paper in Form III annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

15. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

16. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 14, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

*Voting.*

17. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

18. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the delegates desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each delegate a voting paper in Form IV annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The delegate shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The delegate shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The delegate shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Returning Officer.

(6) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

*Counting of votes and declaration of result.*

19. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the delegate, and shall seal down the portion thus folded with his official seal.

20. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 19 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

21. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

22. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

#### *Publication of result.*

23. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

#### *Appointment of dates, times and places.*

24. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 3;
- (b) the selection of delegates under rule 7;
- (c) the attestation of nomination papers under rule 14;
- (d) the scrutiny of nomination papers under rule 16;
- (e) the attestation of voting papers under rule 18; and
- (f) the counting of votes under rule 20.



## FORM II.

(See rule 8.)

## VOTING PAPER.

Delegate is to be selected by the Landholders of the  
Delegates are

District.

| Serial No. | Names of candidates. | Votes. |
|------------|----------------------|--------|
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |
|            |                      |        |

Attesting Officer.

*Instructions.*

1. Each elector shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.
2. Each elector has as many votes as there are delegates to be selected.
3. If he has more votes than one, he may give all his votes to one candidate or may distribute them in any manner he thinks fit among the candidates.
4. He shall vote by placing, or causing to be placed, opposite the name or names of the candidate or candidates, the mark  $\times$  or as many such marks as the number of votes which he desires to give to such candidate.
5. The voting paper will be rejected if the total number of votes recorded on it exceeds the number of delegates to be selected.
6. If the mark denoting any vote is so placed as to render it doubtful to which candidate such mark is intended to apply, the vote will be discarded.

## FORM III.

(See rule 14.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Landholders in the Central Provinces for the election of an Additional Member to the Legislative Council of the Governor General.

Date

Attesting Officer.

*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on the \_\_\_\_\_ day of \_\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_, at the office of \_\_\_\_\_.



## FORM IV.

(See rule 18.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates selected by Landholders in the Central Provinces. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

---

*Instructions.*

1. Each delegate has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The delegate shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

I hereby declare that I am a Delegate for the election of an Additional Member to the Legislative Council of the Governor General by the Landholders in the Central Provinces.

C. N.,

Delegate.

(Fold on this line.)

Signed in my presence by the Delegate, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Returning Officer.

## SCHEDULE X.

[See Regulation II, sub-head (xv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY  
IN THE PRESIDENCY OF FORT SAINT GEORGE.*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means any permanently-settled estate or temporarily-settled *samin-dári* or any unsettled *pálayam* or *jághír*, and includes any portion of such estate which is separately registered in the office of the Collector.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Zamindár" means the holder of an estate and includes a person in receipt of a *málikhána* allowance from Government.

*Qualifications of electors.*

2. The Member specified in Regulation II, sub-head (xv), shall be elected by Muhammadans of the Presidency of Fort St. George.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

- (a) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than three thousand rupees; or
- (b) pay on their own account income-tax on an income of not less than six thousand rupees; or
- (c) are members of the Legislative Council of the Governor of Fort St. George; or
- (d) are Ordinary or Honorary Fellows of the University of Madras; or
- (e) are holders of any title conferred or recognized by the Government or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaiser-i-Hind Medal; or
- (f) are in receipt of pensions for service as gazetted or commissioned officers of Government.

4. For the purposes of rule 3, the annual income of a zamindár from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the *peshkash* or similar charge payable by him to Government.

5. (1) For the purposes of rule 3, the annual income of landholders other than zamindárs shall be calculated as follows:—

- (a) the income of ryotwári holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;
- (b) the income of ryotwári holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;
- (c) the income of holders of *ináms* shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the *peshkash*, *jodi*, quit-rent or similar charge payable to Government;
- (d) the income of tenants and *kánomdárs* under ryotwári holders shall be taken to be equal to the assessment fixed on the land;
- (e) the income of tenants of zamindárs and *inámdárs* shall be taken to be equal to two-thirds of the annual rent-value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884:

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (d) or (e) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages;

(f) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If in any case a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule:

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3,—

(a) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a *málikhána* allowance;

(b) subject to the provisions of clause (a), incomes derived from more than one parcel of land, however held, may be reckoned together: Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules, to represent the joint holders or family in respect of the former land;

(c) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall income derived from land be reckoned with income derived from any other source.

7. (1) No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

(2) In the case of a person or firm claiming to vote on the ground of payment of income-tax, such person or firm shall vote only in the district which is determined for the purposes of the Indian Income-tax Act, 1886, as the district in which he resides or in which the firm has its principal place of business, as the case may be.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

#### *Electoral roll.*

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, 15 or 16, to represent a group of joint owners, a joint family or a firm, and who is himself possessed of a personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such

representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

*Explanation.*—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

#### *Revision of electoral roll.*

18. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may, of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

#### *Qualifications and nomination of candidates.*

19. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

20. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that

it does not comply with the provisions of rule 19, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

#### *Voting.*

22. (1) If one candidate only is duly nominated, the Returning Officer shall declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

#### *Counting of votes and declaration of result.*

25. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 26 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

30. The Local Government shall appoint, and shall notify in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 9 ;
- (b) the attestation of nomination papers under rule 19 ;
- (c) the scrutiny of nomination papers under rule 21 ;
- (d) the attestation of voting papers under rule 23 ; and
- (e) the counting of votes under rule 6.



(See rule 9.)

[illegible]

## FORM II.

(See rule 19.)

## NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kánavan or ejmán.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the       day of       19       by       and       who are personally known to me (or who have been identified to my satisfaction) as voters Nos.       and       in the extract relating to this district from the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

DISTRICT.

Attesting Officer.

---

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on the       day of       and between the hours of       and       at the office of

## FORM III.

(See rule 23.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the Presidency of Fort St. George. The following candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

---

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of        and        on the        day of        19        .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of Muhammadans in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

Elector.

---

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

## FORM IV.

(See rule 24.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

| Serial No. | Name of elector. | Address. |
|------------|------------------|----------|
|            |                  |          |

Attesting Officer.  
IN 2

## SCHEDULE XI.

[See Regulation II, sub-head (xvi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY  
IN THE PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (xvi), shall be elected by the votes of the Muhammadan non-official Additional Members of the Legislative Council of the Governor of Bombay.

2. Any person not ineligible for election under these Regulations, and qualified to vote for the election of an Additional Member by the Muhammadan community in the Presidency of Bombay to the said Legislative Council, shall be eligible for election.

3. The rules for the election of an Additional Member to the Legislative Council of the Governor General by the non-official Additional Members of the Legislative Council of the Governor of Bombay shall apply with the necessary modifications to every election under this Schedule.

## SCHEDULE XII.

[See Regulation II, sub-head (xvii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN BENGAL.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

*Qualifications of electors.*

2. The Member specified in Regulation II, sub-head (xvii), shall be elected by the votes of all Muhammadans having a place of residence in the Province of Bengal who are qualified to vote and possess one of the following qualifications, namely:—

- (a) are Members of the Legislative Council of the Lieutenant-Governor of Bengal; or
- (b) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or of the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or
- (c) are Ordinary or Honorary Fellows of the University of Calcutta; or
- (d) own land in respect of which land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum; or
- (e) own land in respect of which road and public works cesses amounting to not less than one hundred and eighty-seven rupees eight annas are payable per annum to Government either directly or through a superior landlord; or
- (f) pay on their own account income-tax on an income of not less than six thousand rupees per annum; or
- (g) are in receipt of pensions for service as gazetted or commissioned officers of the Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

*Electoral roll.*

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and, in the case of Calcutta, of the Chief Presidency Magistrate.

4. In determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

6. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) Any Muhammadan whose name does not appear on the said electoral roll, and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification referred to in sub-rule (1) of this rule, forward to the Commissioner of the Division in which he resides a statement of such claim or objection, as the case may be.

(3) The Commissioner shall consider and decide upon all such claims or objections, and his decision shall be final.



(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

*Qualifications and nomination of candidates.*

7. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before such date and at such time and place as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

*Voting.*

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions contained on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 3;
- (b) the attestation of nomination papers under rule 7;
- (c) the scrutiny of nomination papers under rule 8;
- (d) the sending of voting papers under rule 9;
- (e) the attestation of voting papers under rule 9; and
- (f) the counting of votes under rule 11.



## FORM II.

(See rule 7.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as electors Nos. \_\_\_\_\_ and \_\_\_\_\_ on the Electoral Roll of Muhammadans in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_, at the office of an Attesting Officer.

## FORM III.

(See rule 9.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in Bengal. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark  $\times$  opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark  $\times$  is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope between the hours of \_\_\_\_\_ and \_\_\_\_\_ on any day before the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

No.

I hereby declare that I am the person whose name appears as [ ] No. on the Electoral Roll of Muhammadans in Bengal for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

*Elector.*

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

*Attesting Officer.*





## SCHEDULE XIII.

[See Regulation II, sub-head (viii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN THE UNITED PROVINCES OF AGRA AND OUDH.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

*Qualifications of electors.*

2. The Member specified in Regulation II, sub-head (xviii), shall be elected by the votes of all Muhammadans qualified to vote and having a place of residence in the said Provinces who—

- (a) own land in respect of which land-revenue amounting to not less than ten thousand rupees is payable per annum, or
- (b) own land free of land-revenue if the land-revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either taken by itself or in addition to land-revenue payable in respect of other land by such owners, amounts to not less than ten thousand rupees per annum, or
- (c) pay on their own account income-tax on an income of not less than ten thousand rupees per annum, or
- (d) are Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh, or
- (e) are Ordinary or Honorary Fellows of the University of Allahabad, or
- (f) are Trustees of the Muhammadan Anglo-Oriental College, Aligarh; or
- (g) are holders of any title conferred or recognised by the Government, or are members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaiser-i-Hind Medal, or
- (h) are in receipt of pensions for service as gazetted or commissioned officers of the Government, or
- (i) are honorary Assistant Collectors, Honorary Magistrates or Honorary Munsifs:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

*Electoral roll.*

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) When a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 2, clause (a) or clause (b) or clause (c), the name of any person duly authorized in writing in this behalf by the firm or company shall be entered in the roll as the representative for the purposes of the roll of such firm or company.

(3) In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, an extract from the electoral roll relating to each district shall be posted in a conspicuous place at the office of the District Magistrate for such district.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

#### *Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations and whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by an Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

#### *Voting.*

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

16. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 3;
- (b) the attestation of nomination papers under rule 6;
- (c) the scrutiny of nomination papers under rule 8;
- (d) the attestation of voting papers under rule 10; and
- (e) the counting of votes under rule 13.

## FORM I.

(See rule 3.)

ELECTORAL ROLL OF MUHAMMADANS IN THE UNITED PROVINCES OF AGRA AND OUDH FOR  
THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE  
GOVERNOR GENERAL.

| Serial No. on roll. | Serial No. on district list. | Name of elector. | Father's name. | Address. | Qualifications. |
|---------------------|------------------------------|------------------|----------------|----------|-----------------|
|                     | 2                            | 3                | 4              | 5        | 6               |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |
|                     |                              |                  |                |          |                 |

*Instructions.*

1. The roll shall be prepared by districts, each elector's name being entered under the district in which he resides.

2. In the case of an elector qualified under rule 2 (a) or 2 (b) who pays land-revenue, or holds land free of revenue in more than one district, details of the land-revenue payable or nominally assessed in each district shall be entered in column 6, where the land-revenue payable or nominally assessed in any one district does not exceed Rs10,000.

3. In determining the eligibility of a landholder as an elector, only land-revenue payable or nominally assessed on account of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

4. In the case of an elector qualified under rule 2 (c), the entry in column 6 shall be "Payment of income-tax" and shall not state the actual income on which tax is paid.

## FORM II.

(See rule 6.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_ who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

*Attesting Officer.*

*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_, at the office of \_\_\_\_\_.

## FORM III.

(See rule 10.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in the United Provinces of Agra and Oudh. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of        and        on the        day of        19        .

I hereby declare that I am the person whose name appears as No. \_\_\_\_\_ on the electoral roll of Muhammadans in the United Provinces of Agra and Oudh for the election of an Additional Member to the Legislative Council of the Governor General.

C. N.,

*Elector.*

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

*Attesting Officer.*



## FORM IV.

(See rule 11.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me. —

| Serial No. | Name of elector. | Address. |
|------------|------------------|----------|
|            |                  |          |

Attesting Officer.

## SCHEDULE XIV.

[See Regulation II, sub-head (xiv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUHAMMADAN COMMUNITY IN  
EASTERN BENGAL AND ASSAM.*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

*Qualifications of electors.*

2. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Province of Eastern Bengal and Assam who—

- (i) hold a title recognised or conferred by the Government of India, or are members of the Order of the Star of India or of the Order of the Indian Empire, or are holders of the Kaisar-i-Hind Medal, or
- (ii) are Honorary or Ordinary Fellows of the University of Calcutta, or
- (iii) hold in their own right, as proprietors or permanent tenure-holders, one or more estates or shares of estates, or one or more tenures held direct from the zamindar, or shares of such tenures, in respect of which land-revenue amounting to not less than seven hundred and fifty rupees or cess amounting to not less than one hundred and eighty-seven rupees and eight annas is payable annually; or
- (iv) have, during the financial year immediately preceding the commencement of the election, individually paid income-tax in respect of an annual income of not less than six thousand rupees; or
- (v) are in receipt of pensions for service as gazetted or commissioned officers of Government:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

*Explanation.*—For the purposes of this rule—

- (1) the term "holder in his own right" shall be deemed to include the *mutawali* or manager of a *wakf* estate, but does not include a trustee or a manager in an estate other than a *wakf* estate;
- (2) except in the Assam Valley Division and the Surma Valley and Hill Districts Division, a person shall not be deemed to hold an estate or a share of an estate in his own right, unless such estate or share is registered in his name in registers maintained under the Land Registration Act, 1876;
- (3) when an estate or a share of an estate is held by two or more persons jointly, and the share held by each is not specified in the registers referred to above, it shall be assumed, until the contrary is shown, that they hold equal shares;
- (4) the term "cess" means the cesses levied by Government under the Cess Act, 1880, and includes also the local rates levied in Assam under the Assam Local Rates Regulation, 1879;
- (5) within the Assam Valley Division and Surma Valley and Hill Districts Division, the term "proprietor" includes landholders as defined in the Assam Land and Revenue Regulation, 1886.

*Electoral roll.*

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the District Magistrate, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or if, an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

*Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by the District Magistrate, of any district to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation before 5 P.M. on the day appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

*Voting.*

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) The Returning Officer shall, on such date as may be appointed by the Local Government in this behalf, sign and send to each elector by registered post a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer or a District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose before an Attesting Officer on any day up to 5 P.M. on the day appointed by the Local Government as the latest date for the attestation of voting papers.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions and shall deliver to him an envelope in which to enclose his voting paper after he has voted.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also send to the Returning Officer by registered post a list, in Form IV annexed to this Schedule, of the electors whose voting papers have been attested by him.

*Counting of votes and declaration of result.*

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

16. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*Appointment of dates, times and places.*

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 3;
- (b) the attestation of nomination papers under rule 6;
- (c) the scrutiny of nomination papers under rule 8;
- (d) the sending of voting papers under rule 10;
- (e) the attestation of voting papers under rule 10; and
- (f) the counting of voting under rule 13.

FORM I.

(See rule 8.)

**ELECTORAL ROLL OF MUHAMMADANS IN EASTERN BENGAL AND ASSAM FOR THE ELECTION OF AN  
ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.**

[illegible]

## FORM II.

(See rule 8.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Muhammadans in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

Attesting Officer.

*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation before 5 P. M. on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the Office of an Attesting officer.

## FORM III.

(See rule 10.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Muhammadan community in Eastern Bengal and Assam. The following [ ] candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

Returning Officer.

---

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose on or before the                      day of                      19                      and between the hours of                      and

I hereby declare that I am the person whose name appears as No. \_\_\_\_\_ on the electoral roll of Muhammadans in Eastern Bengal and Assam for the election of an Additional Member to the Legislative Council of the Governor General.

*Elector.*

---

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

*Attesting Officer.*



## FORM IV.

(See rule 11.)

## LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

| Serial<br>No. | Name of elector. | Address. |
|---------------|------------------|----------|
|               |                  |          |

Attesting Officer

## SCHEDULE XV.

[See Regulation II, sub-head (xx), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BENGAL CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (xx), shall be elected by the members of the Bengal Chamber of Commerce.
2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber, shall be eligible for election.
3. On or before such date as may be appointed by the Local Government in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Chamber under section 6 of the Calcutta Port Act, 1890.
4. The Chairman of the said Chamber shall forthwith report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

## SCHEDULE XVI.

[See Regulation II, sub-head (xxi), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE.

1. The Member specified in Regulation II, sub-head (xxi), shall be elected by the members of the Bombay Chamber of Commerce.
2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber, shall be eligible for election.
3. On or before such date as may be appointed by the Local Government in this behalf, the said Chamber shall elect the Member aforesaid in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879.
4. The President of the said Chamber shall forthwith report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

*The 15th November 1909.*

**No. 15.**—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Fort Saint George :

**REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT ST. GEORGE.**

I. (1) The Additional Members of the Legislative Council of the Governor of Fort St. George, other than the Advocate General or other officer acting in that capacity, shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be nineteen in number ;

B.—Members nominated by the Governor, who shall not exceed twenty-three in number, and of whom—

(a) not more than sixteen may be officials, and

(b) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council :

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

II. The nineteen elected Members specified in Regulation I shall be elected as follows, namely :—

|                                                                         |            |
|-------------------------------------------------------------------------|------------|
| (i) By the Corporation of Madras . . . . .                              | 1 Member.  |
| (ii) By the University of Madras . . . . .                              | 1 Member.  |
| (iii) By the Municipal Councils and District and Taluk Boards . . . . . | 8 Members. |
| (iv) By the Zamindars . . . . .                                         | 2 Members. |
| (v) By the Landholders other than Zamindars . . . . .                   | 2 Members. |
| (vi) By the Muhammadan community . . . . .                              | 2 Members. |
| (vii) By the Madras Chamber of Commerce . . . . .                       | 1 Member.  |
| (viii) By the Madras Trades Association . . . . .                       | 1 Member.  |
| (ix) By the Planting community . . . . .                                | 1 Member.  |

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

IV. No person shall be eligible for election as a Member of the Council, if such person—

(a) is not a British subject, or

(b) is a female, or

(c) has been adjudged by a competent Civil Court to be of unsound mind, or

(d) is under twenty-five years of age, or

(e) is an uncertificated bankrupt or an undischarged insolvent, or

(f) has been dismissed from the Government service, or

(g) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(h) has been debarred from practising as a legal practitioner by order of any competent authority, or

(i) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (f), (g), (h) and (i) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(a) is a female, or

(b) is a minor, or

(c) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been <sup>elected</sup><sub>nominated</sub> a Member of the Legislative Council of the Governor of Fort St. George, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

(a) not being eligible for election is elected under these Regulations, or

(b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (c), (e), (f), (g) or (h) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of Madras in the Legislative Department, within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be: Term of office

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Fort St. George shall be exercised only at meetings at which— Quorum.

(a) the Governor, or

(b) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or,

(c) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

*Explanation.*—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance  
with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to  
validity of election.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of deci-  
sions.

XVII. The decision by the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

## SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CORPORATION OF MADRAS.

*Preliminary.*

1. "Returning Officer" means the President of the Corporation of Madras, and includes any Commissioner of the Corporation deputed for the time being by the President to perform his duties under these rules.

*Qualifications of electors.*

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the Commissioners of the said Corporation (hereinafter referred to as electors) whose appointments have been notified in the local official Gazette prior to the date on which they record their votes.

*Qualifications and nomination of candidates.*

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector :

Provided that a nomination paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

*Voting.*

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper bearing the name of the elector and signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall



attend for the purpose and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

*Counting of votes and declaration of result.*

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse " rejected " on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the sending of nomination papers under rule 3 ;
- (b) the scrutiny of nomination papers under rule 5 ;
- (c) the sending of voting papers under rule 6 ;
- (d) the recording of votes under rule 7 ; and
- (e) the counting of votes under rule 10.

## FORM I.

(See rule 3.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

\_\_\_\_\_  
*Returning Officer.*

*Instruction.*

Nomination papers which are not received by the Returning Officer before the      day of      19      shall be invalid.

## FORM II.

(See rule 6.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Corporation of Madras. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

Returning Officers.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.
6. Votes may be recorded in the presence of the Returning Officer on the day of 19, between the hours of and , at the office of

Name of elector

I hereby declare that I am a Commissioner of the Corporation of Madras.

(Signed)

---

*(Fold on this line.)*

## SCHEDULE II.

[See Regulation II, sub-head (ii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE UNIVERSITY OF MADRAS.

*Preliminary.*

1. "Returning Officer" means the Registrar of the University of Madras, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

*Qualification of electors.*

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the Members of the Senate and Honorary Fellows of the University of Madras having a place of residence in India (hereinafter referred to as electors).

*Qualifications and nomination of candidates.*

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the date and time appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

*Voting.*

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer

shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

*Counting of votes and declaration of result.*

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse " rejected " on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the sending of nomination papers under rule 3 ;
- (b) the scrutiny of nomination papers under rule 5 ;
- (c) the sending of voting papers under rule 6 ;
- (d) the recording of votes under rule 7 ; and
- (e) the counting of votes under rule 10.

## FORM I.

(See rule 3.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

*Returning Officer.*

---

*Instructions.*

Nomination papers which are not received by the Returning Officer before the      day  
of      19      shall be invalid.

## FORM II.

(See rule 6.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Members of the Senate and Honorary Fellows of the University of Madras. The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.
6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the .



I hereby declare that I am a Member of the Senate (or Honorary Fellow) of the  
University of Madras

(Signed)

*Fold on this line.*

## SCHEDULE III.

[See Regulation II, sub-head (iii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPAL COUNCILS AND DISTRICT AND TALUK BOARDS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Electoral area" means a group of districts constituted under rule 2.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the eight Members specified in Regulation II, sub-head (iii), one shall be elected for each of the following groups of districts by the Municipal Councils and District and Taluk Boards therein :-

- (1) Ganjam and Vizagapatam.
- (2) Godavari, Kistna and Guntur.
- (3) Nellore, Chingleput and North Arcot.
- (4) Cuddapah, Kurnool, Bellary and Anantapur.
- (5) Salem, Coimbatore and the Nilgiris.
- (6) South Canara and Malabar (including Anjengo and Tangasseri).
- (7) Tanjore, South Arcot and Trichinopoly.
- (8) Madura and Tinnevely.

*Electors.*

3. The election shall be made by the non-official members of the Municipal Councils and District and Taluk Boards within the electoral area concerned whose appointments as such members have been notified in the local official Gazette prior to the date on which they record their votes.

4. No person shall be entitled to vote except in a district in which he holds office as a non-official member of a Municipal Council or of a District or Taluk Board.

5. No elector shall have more than one vote.

*Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations and qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

#### *Voting.*

9. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district in which he holds office as aforesaid, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

11. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

#### *Counting of votes and declaration of result.*

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the attestation of nomination papers under rule 6 ;
- (b) the scrutiny of nomination papers under rule 8 ;
- (c) the attestation of voting papers under rule 10 ; and
- (d) the counting of votes under rule 13.

## FORM I.

(See rule 6.

## NOMINATION PAPER.

1. Name of candidate.
2. Name of father, karnavan or ejmán.
3. Age.
4. Address.
5. Office held by candidate.
6. District in which candidate holds office.
7. Signature of proposer.
8. Signature of seconder.

Signed in my presence on the \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_ by \_\_\_\_\_ and \_\_\_\_\_  
 who are personally known to me (or who have been identified to my Council  
 satisfaction) as non-official members of the \_\_\_\_\_ Board  
 in the electoral area concerned.

Station.

District.

Attesting Officer.

## Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ and  
 between the hours of \_\_\_\_\_ and \_\_\_\_\_ at the office of \_\_\_\_\_

## FORM II.

(See rule 10.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the non-official members of Municipal Councils and District and Taluk Boards in the electoral area comprising the districts of

The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Instructions.*

1. Each elector has one vote.

2. He shall vote by placing or causing to be placed the mark × opposite the name of the candidate whom he prefers.

3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.

4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of      and      on the      day of      19      .

I hereby declare that I am a non-official member of the  
the District of

Council  
Board in

C. N.,

*Elector.*

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been  
identified to my satisfaction).

X. Y.,

*Witnessing Officer.*





## SCHEDULE IV.

[See Regulation II, sub-head (iv), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE ZAMINDARS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.
- (2) "Collector" means the District Collector.
- (3) "Electoral area" means a group of districts constituted under rule 2.
- (4) "Estate" means any permanently-settled estate or temporarily-settled zamindari or any unsettled palaiyam or jaghir, and includes any portion of such estate which is separately registered in the office of the Collector.
- (5) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.
- (6) "Zamindar" means the holder of an estate and includes a person in receipt of a malikhana allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (iv), one shall be elected for each of the following groups of districts, namely:—

Group (1)—Ganjam, Vizagapatam, Godavari, Kistna, Guntur, Nellore, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Madras, Chingleput, Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevely.

*Qualifications of electors.*

3. The election shall be made by all zamindars qualified to vote and having a place of residence within the electoral area concerned, who—

- (a) possess an annual income, calculated as provided in rules 4, 5 and 6, of not less than three thousand rupees derived from an estate situated within the Presidency of Fort St. George, or
- (b) receive from Government a malikhana allowance the annual amount of which is not less than three thousand rupees.

4. For the purposes of rule 3, the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) If in any case it is not possible to calculate income from land in accordance with rule 4, the Collector shall determine such income for the purposes of these rules upon the best information available.

(2) In all cases the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of zamindars for the purposes of rule 3—

- (a) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a malikhana allowance; and
- (b) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. No person claiming to vote on account of the possession of income derived from an estate for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the estate from which the income is derived stands registered in such register in his name.

#### *Revision of electoral roll.*

12. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

#### *Qualifications and nomination of candidates.*

13. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

14. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

15. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 13, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

#### *Voting.*

16. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

- (2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.
17. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.
- (2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.
- (3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.
- (4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.
- (5) The elector shall then place the voting paper in the envelope provided and after closing the envelope shall deliver it to the Attesting Officer.
- (6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.
18. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.
- (2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

19. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.
- (2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.
- (3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.
20. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.
- (2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.
- (3) The Returning Officer shall show the voting papers sealed as provided by rule 19 to the candidates or their representatives.
- (4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.
- (5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.
21. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.
- (2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.
22. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

23. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

24. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 9 ;
- (b) the attestation of nomination papers under rule 13 ;
- (c) the scrutiny of nomination papers under rule 15 ;
- (d) the attestation of voting papers under rule 17 ; and
- (e) the counting of votes under rule 20.

(See rule 9.)

## ELECTORAL ROLL OF ZAMINDARS FOR

[illegible]

## FORM II.

(See rule 13.)

## NOMINATION PAPER.

1. Name of candidate.
2. Name of father.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the            of            19            by            and  
who are personally known to me (or who have been identified to my satisfaction) as electors  
Nos.            and            on the electoral roll of Zamindárs for            for the  
election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT.

Attesting Officer.

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Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on the            day of            , and  
between the hours of            and            , at the office of

## FORM III.

(See rule-17.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Zamindárs in the electoral area No. . The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark X is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer; who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied by him for the purpose between the hours of      and      on the      day of      19      .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral  
roll of Zamindárs for for the election of an Additional Member to the Legislative Council of the Governor  
of Fort St. George.

C. N.,

Elector.

---

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.



## FORM IV.

(See rule 18.)

## LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me:—

| Serial No. | Name of elector. | Address. |
|------------|------------------|----------|
|            |                  |          |

Attesting Officer.

I V

## SCHEDULE V.

[See Regulation II, sub-head (v), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS OTHER THAN ZAMINDARS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.
- (2) "Collector" means the District Collector.
- (3) "Electoral area" means a group of districts constituted under rule 2.
- (4) "Estate" means any permanently-settled estate or temporarily-settled zamindari or any unsettled palaiyam or jaghir, and includes any portion of such estate which is separately registered in the office of the Collector.
- (5) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.
- (6) "Zamindar" means the holder of an estate and includes a person in receipt of a malikhana allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (v), one shall be elected for each of the following groups of districts :—

Group (1)—Ganjām, Vizagapatam, Godāvāri, Kistna, Guntūr, Nellore, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Madras, Chingleput, Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevely.

*Qualifications of electors.*

3. The election shall be made by all landholders other than zamindars qualified to vote and having a place of residence within the electoral area concerned who possess an annual income, calculated as provided in rules 4 and 5, of not less than three thousand rupees derived from land situated within the Presidency of Fort St. George and not forming an estate.

4. (1) For the purposes of rule 3 the annual income of landholders other than zamindars shall be calculated as follows :—

- (a) the income of ryotwari holders-cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated ;
- (b) the income of ryotwari holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased ;
- (c) the income of holders of inams shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government ;
- (d) the income of tenants and kanomdars under ryotwari holders shall be taken to be equal to the assessment fixed on the land ;
- (e) the income of tenants of zamindars and inamdars shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (d) or clause (e) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of similar description and with similar advantages in the village or in neighbouring villages ;

(f) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule.

(3) If, in any case, it is not possible to calculate income from land in accordance with sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

5. In calculating the annual income of landholders for the purposes of rule 3—

(a) income derived from an estate shall not be reckoned along with income derived from any land other than an estate ;

(b) subject to the provisions of clause (a), incomes derived from more than one parcel of land, however held, may be reckoned together : Provided that, in the case of land referred to in rule 11, sub-rule (2), and rule 12, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land.

6. No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

#### *Electoral roll.*

7. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

8. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

9. A person who is nominated, or entitled, under rule 11, sub-rule (2), or rule 12, to represent a group of joint owners or a joint family, and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

10. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

11. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

*Explanation.*—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

12. Where the property of a tarwād or similar joint family under the Marumakkatāyam or Aliyasantāna law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

13. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

#### *Revision of electoral roll.*

14. (1) The electoral roll published under rule 7 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears in the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision shall be published and posted as provided in rule 7.

#### *Qualifications and nomination of candidates.*

15. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

16. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

17. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 15, or rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

#### *Voting.*

18. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

19. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

20. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting paper he has attested.

*Counting of votes and declaration of result.*

21. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

22. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 21 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

23. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

24. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

25. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

26. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 7 ;
- (b) the attestation of nomination papers under rule 15 ;
- (c) the scrutiny of nomination papers under rule 17 ;
- (d) the attestation of voting papers under rule 19 ; and
- (e) the counting of votes under rule 22.



## FORM II.

(See rule 15.)

## NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kánavan or ejmán.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the       of       19       by       and  
who are personally known to me (or who have been identified to my satisfaction) as  
voters Nos.       and       on the electoral roll of landholders other than Zamindárs for  
for the election of an Additional Member to the Legislative Council of the Governor  
of Fort Saint George.

STATION.

DISTRICT.

Attesting Officer.

*Instructions.*

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on the       day of       , and between the hours of       and       , at the office of



## FORM III.

(See rule 19.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the landholders other than Zamindárs in the electoral area No. . The following [ ] candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of  
on the       day of       19 .

I hereby declare that I am the person whose name appears as [ ] No. on the electoral roll of  
landholders other than Zamindars for for the election of an Additional Member to the Legislative  
Council of the Governor of Fort St. George.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been  
identified to my satisfaction).

X. Y.,

Attesting Officer.

(See rule 20.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

*Attesting Officer.*

## SCHEDULE VI.

[See Regulation II, sub-head (vi), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY IN THE PRESIDENCY OF FORT ST. GEORGE.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Electoral area" means a group of districts constituted under rule 2.

(4) "Estate" means any permanently-settled estate or temporarily-settled zamindari or any unsettled palaiyam or jaghir, and includes any portion of such estate which is separately registered in the office of the Collector.

(5) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(6) "Zamindar" means the holder of an estate and includes a person in receipt of a malikhana allowance from Government.

2. Of the two Members specified in Regulation II, sub-head (vi), one shall be elected by the qualified electors in each of the following groups of districts:—

Group (1)—Ganjám, Vizagapatam, Godavari, Kistna, Guntur, Nellore, Madras, Chingleput, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur.

Group (2)—Salem, Coimbatore, South Canara, Malabar (including Anjengo and Tangasseri), the Nilgiris, South Arcot, Tanjore, Trichinopoly, Madura and Tinnevely.

*Qualifications of electors.*

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence within the electoral area concerned, who—

(1) are landholders possessing an annual income from land situated within the Presidency of Fort St. George of not less than five hundred rupees; or

(2) pay on their own account income-tax on an income of not less than two thousand rupees; or

(3) are Ordinary or Honorary Fellows or registered Graduates of the University of Madras; or

(4) are holders of any title conferred or recognized by the Government or members of the Order of the Star of India or the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or

(5) are in receipt of pensions for service as gazetted or commissioned officers of Government.

4. For the purposes of rule 3 the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

5. (1) For the purposes of rule 3 the annual income of landholders other than zamindars shall be calculated as follows:—

(a) the income of ryotwari holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;

(b) the income of ryotwari holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;

(c) the income of holders of inams shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government;

(d) the income of tenants and kánomdars under ryotwári holders shall be taken to be equal to the assessment fixed on the land ;

(e) the income of tenants of zamindárs and inamdárs shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884 :

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in sub-clause (d) or (e) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable for land of a similar description and with similar advantages in the village or in neighbouring villages ; and,

(f) in the case of sub-tenants, the income shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule :

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 4.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 4 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

(4) In all cases under this rule and rule 4, the income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. In calculating the annual income of all landholders for the purposes of rule 3—

(a) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a málikhána allowance ;

(b) subject to the provisions of clause (a), incomes derived from more than one parcel of land, however held, may be reckoned together : Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land ;

(c) in no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account, nor shall income derived from land be reckoned with income derived from any other source.

7. (1) No person shall be entitled to vote except in the district in which he resides, and he shall not be entered in the electoral roll under any other district.

(2) In the case of a person or firm claiming to vote on the ground of payment of income-tax, such person or firm shall vote only in the district which is determined for the purposes of the Indian Income-Tax Act, 1886, as the district in which he resides or in which the firm has its principal place of business, as the case may be.

8. No person shall give more than one vote though he may possess more than one of the qualifications above described.

#### *Electoral roll.*

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, a copy thereof shall be published in the official Gazette of every district and shall also be posted in a conspicuous place at the office of every Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. A person who is nominated, or entitled, under rule 13, sub-rule (2), rule 14, 15 or 16, to represent a group of joint owners, a joint family, or a firm, and who is himself possessed of a

personal qualification or of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or separate capacity, and he shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

*Explanation.*—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. Where the property of a tarwád or similar joint family under the Marumakkatáyam or Aliyasantána law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes; and, if the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Where a joint family is assessed as such to pay income-tax, a majority of the adult male members of the family may nominate in writing any one of themselves who is qualified to vote as their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of the payment of income-tax.

16. Where a firm, composed solely of Muhammadan members, pays income-tax on the prescribed minimum income, a majority of the adult male members of the firm may nominate in writing one of themselves who is qualified to vote on behalf of the firm, and his name only shall be entered in the electoral roll under the district in which he resides, and if such nomination is not made, no entry shall be made in the electoral roll in respect of the firm.

17. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualifications in his own personal right and not in a fiduciary capacity.

#### *Revision of electoral roll.*

18. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Collector may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

#### *Qualifications and nomination of candidates.*

19. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector of the electoral area concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

20. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

#### *Scrutiny of nomination papers.*

21. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 19, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

#### *Voting.*

22. (1) If in any electoral area one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

23. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

24. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

#### *Counting of votes and declaration of result.*

25. (1) On receiving the voting papers the Returning Officer shall examine them, to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

26. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 25 to the candidates or their representatives.



(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

27. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

28. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

29. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the names of the candidates elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

30. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 9 ;
- (1) the attestation of nomination papers under rule 19 ;
- (c) the scrutiny of nomination papers under rule 21 ;
- (d) the attestation of voting papers under rule 23 ; and
- (e) the counting of votes under rule 26.



(See rule 2.)

## ELECTORAL ROLL OF MUHAMMADANS FOR

[illegible]

## FORM II.

(See rule 19.)

## NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kánavan or ejmán.
3. Age.
4. Address.
4. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the       day of       19       by       and  
who are personally known to me (or who have been identified to my satisfaction) as voters  
Nos.       and       on the electoral roll of Muhammadans for       for the  
election of an Additional Member to the Legislative Council of the Governor of Fort St. George.

STATION.

DISTRICT.

Attesting Officer.

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Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on the       day of       , and between  
the hours of       and       , at the office of

## FORM III.

(See rule 23.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort St. George by the Muhammadan community in the electoral area No. . The following ( ) candidates have been duly nominated :—

| Serial No. | Names of candidates. | Vote. |
|------------|----------------------|-------|
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |
|            |                      |       |

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of  
and on the day of 19 .